

Message Text

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DRAFTED BY EUR/WE:MARYKE CRAMERUS

APPROVED BY EDWARD M ROWELL

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FM SECSTATE WASHDC

INFO RUFHRO/AMEMBASSY ROME 5895

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C O N F I D E N T I A L STATE 092748

FOLLOWING REPEAT VALLETTA 807 ACTION SECSTATE DATED APR 05:

QTE: C O N F I D E N T I A L VALLETTA 00807

E.O. 11652: GDS

TAGS: AFSP, MT, US

SUBJECT: MALTESE DIALOGUE WITH EUROPEANS ON

- - NEUTRALITY GUARANTEE

REF: VALLETTA 795

1. I WANT TO DRAW THE DEPARTMENT'S ATTENTION TO WHAT MINTOFF AFFIRMED TO ME IN CONVERSATION REPORTED REFTEL REGARDING LANGUAGE IN THE NEUTRALITY GUARANTEE DRAFT NOW BEING DEVELOPED WITH THE FRENCH AND ITALIANS (AT WHAT THE LATTER SAY IS THE LEGAL ADVISOR LEVEL IN THEIR MFA.) I DO SO BECAUSE OF EARLIER COMMENTS TO US BY ITALIAN AMBASSADOR DA-RIN AS TO HOW THE LANGUAGE WOULD READ. AS BACKGROUND, WE NOTE THAT WE DO NOT RECALL HAVING EVER SEEN ANY MALTESE FORMULATION OF LANGUAGE IN A DRAFT DOCUMENT THAT WOULD SPECIFICALLY EXCLUDE THE SUPERPOWERS FROM ACCESS TO MALTA'S
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SHIP REPAIR FACILITIES. SUCH EXCLUSION WAS NOT INCLUDED IN THE ONLY PREVIOUS MALTESE DRAFTS THAT WE RECALL SEEING; I.E. THE DRAFT ENCLOSED WITH MINTOFF'S LETTER TO SECRETARY KISSINGER OF JULY 5, 1976 AND THE DRAFT THE MALTESE CLAIMED IN MID-1977 THE LIBYANS WERE PREPARED THEN TO SIGN (VALLETTA'S 707, JUNE 22, 1977). MINTOFF HAS, OF COURSE, CONSISTENTLY MADE CLEAR IN THE DIALOGUE WITH THE ITALIANS

THAT HE HAS NO INTENTION TO ALLOW ANY SUPERPOWER ACCESS TO THE DRYDOCKS, WHILE PERMITTING OTHER COUNTRY ACCESS BECAUSE "THE DRYDOCKS ARE OUR LIVELIHOOD."

2. IN CONVERSATIONS LAST WEEK, HOWEVER, DA-RIN HAS LEFT US WITH THE IMPRESSION, THAT DURING THE TALKS IN ROME LAST MONTH, THE ITALIANS AND PRESUMABLY THE FRENCH, APPARENTLY IN REACTION TO DRAFT MALTESE LANGUAGE THAT INCLUDED REFERENCE TO THE SUPERPOWERS, TOOK THE POSITION THAT THE DRAFT SHOULD NOT BE IN SUCH TERMS AS TO SPECIFICALLY EXCLUDE THE SUPERPOWERS FROM ACCESS TO MALTA'S SHIP REPAIR FACILITIES. SUCH LANGUAGE, SAID THE LEGAL EXPERTS, WOULD BE INCONSISTENT WITH A STRICT JURIDICAL DEFINITION OF NEUTRALITY. AS A CONSEQUENCE, DA-RIN SAYS THAT THE PRESENT DRAFT DOES NOT EXCLUDE SUPERPOWER ACCESS AND THUS THEORETICALLY WOULD PERMIT RUSSIAN AND AMERICAN ACCESS BY THEIR NAVAL VESSELS TO SHIP REPAIR FACILITIES IN CASE OF NEED. (DA-RIN HAS NOT SHOWN US THE DRAFT LANGUAGE AND SEEMS RELUCTANT TO DO SO.) IF DA-RIN IS CORRECT, MINTOFF'S INSISTENCE TO ME THAT NOTHING HAS CHANGED IN THIS RESPECT WOULD STILL BE ACCURATE IN THE SENSE THAT HE HAS NO PRESENT POLICY INTENTION OF PERMITTING SUCH SUPERPOWER ACCESS. THE LANGUAGE THAT DA-RIN SAYS THE ITALIANS PREFER, HOWEVER, WOULD GIVE MINTOFF THE FLEXIBILITY TO CHANGE THAT POLICY IF AND WHEN HE SHOULD EVER DECIDE TO DO SO.

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3. WE WILL ATTEMPT TO LEARN MORE LOCALLY BUT THE DEPARTMENT MIGHT ALSO USEFULLY INSTRUCT ROME TO GET AN UPDATING OF ROME'S 5558 CONCERNING THE MIZZI LEVEL TALKS WHICH WE GATHER ARE TO RESUME IN ABOUT THREE WEEKS. LAINGEN UNQUOTE VANCE

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